

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CARLOS O. NESBETH, AMIT	)	
GODAMBE, JENNY GALLERY,	)	
MISTY HOWELL and MICAH	)	
WEBB, individually and on behalf of	)	<b>CIVIL ACTION NO.:</b>
all others similarly situated,	)	<b>2:21-cv-01444-PD</b>
	)	

Plaintiffs,

v.

ICON CLINICAL RESEARCH, LLC,	)	
THE BOARD OF DIRECTORS OF	)	
ICON CLINICAL RESEARCH, LLC,	)	
THE 401(K) PLAN COMMITTEE	)	
OF ICON CLINICAL RESEARCH,	)	
LLC and JOHN DOES 1-30.	)	

Defendants.

**PLAINTIFFS' MOTION FOR  
FINAL APPROVAL OF CLASS ACTION SETTLEMENT**

Named Plaintiffs Carlos O. Nesbeth, Amit Godambe, Jenny Gallery, Misty Howell and Micah Webb (collectively, "Plaintiffs"), participants in the ICON Clinical Research, LLC 401(k) Plan (the "Plan"), hereby respectfully move this Court, pursuant to FED. R. CIV. P. 23, for an Order:

1. Granting final approval to the class action settlement in this action on the terms of the Class Action Settlement Agreement ("Settlement Agreement"), executed on January 28, 2022 and previously filed with the Court on January 28, 2022 (ECF 30-2);

2. Certifying the Class as defined in the Settlement Agreement;
3. Appointing Named Plaintiffs as Class Representatives and Plaintiffs' Counsel as Class Counsel under FED. R. CIV. 23(g);
4. Finding that the manner in which the Settlement Class was notified of the Settlement was the best practicable under the circumstances and adequately informed the Settlement Class members of the terms of the Settlement, how to lodge an objection and obtain additional information; and
5. For such other and further relief as the Court may deem just and proper.

The grounds for this Motion are set forth in the following papers filed contemporaneously herewith:

A. Memorandum in support of Plaintiffs' Final Approval of Class Action Settlement; and

B. Declaration of Mark K. Gyandoh in support of Plaintiffs' Motion for Final Approval of Class Action Settlement and exhibits thereto.

Attached hereto is the proposed Final Approval Order and Judgment in the form agreed to by the parties and attached to the Settlement Agreement as Exhibit D.

Dated: May 12, 2022

Respectfully submitted,

**CAPOZZI ADLER, P.C.**

/s/ Mark K. Gyandoh

Mark K. Gyandoh, Esquire

Gabrielle Kelerchian, Esquire  
312 Old Lancaster Road  
Merion Station, PA 19066  
Telephone: (610) 890-0200  
Facsimile: (717) 233-4103  
Email: [markg@capozziadler.com](mailto:markg@capozziadler.com)  
[gabriellek@capozziadler.com](mailto:gabriellek@capozziadler.com)

Donald R. Reavey, Esquire  
2933 North Front Street  
Harrisburg, PA 17110  
Telephone: (717) 233-4101  
Facsimile: (717) 233-4103  
Email: [donr@capozziadler.com](mailto:donr@capozziadler.com)

*Class Counsel*

**CERTIFICATE OF SERVICE**

I hereby certify that on May 12, 2022, a true and correct copy of the foregoing document was filed with the Court utilizing its ECF system, which will send notice of such filing to all counsel of record.

By: Mark K. Gyandoh  
Mark K. Gyandoh, Esq.